DISTRICT SUMMARY INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:			_	Ll	RP				
DIVISION OFFICE:		<u>LRD</u>							
REPORTING PERIOD:			_		4 – 30 Jun 04	<u>!</u>			
TOTAL ACTIONS:			_		8				
PROJECT REVIEW/DETER		ON COM	PLETED		the office the project s	7 8 site 8	(total no.) (total no.)		
m e .: 1	101	1.2	125	T 10	10.05	25.50	70	1 .	
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream								2,014	
Dry Wash									
Mudflat									
Sandflat									
Wetlands	4	1							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type) Man-made Pond *	4								
¹ Check appropriate boxes that be		type of iso	lated, non-	navigable, ir	ntra-state wat	er present an	nd best estima	te for size of	non-

Migratory Bird Rule Factors ¹ :	If Kı	nown	If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			5	4	
Is or would be used as habitat by other migratory birds that cross state lines?			6		3
Is or would be used as habitat for endangered species?				6	3
Is used to irrigate crops sold in interstate commerce?		6	2	1	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

Preliminary	1	Or	Approved	7	

^{*} One site contained 2 ponds, therefore 8 actions, but 9 isolated waters.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: FILE NUMBER:		·	· . <u>-</u>		3BURG 04001		· .		
REGULATORY PROJECT	Γ MANAGE	R:		Chaisty	SchR	oenee	Date: 1	2 APR	04
PROJECT REVIEW/DETI PROJECT LOCATION IN State: County: Center coordinate Approximate size Name of waterway	FORMATIONS of site by la	ON: atitude & erty (inclu	longitud	inal coordir	nates:	(Y/N) ite Y (Y/N)	Date: 8 Date: C	APR APROS APRO	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>:50 ac	Linear	Unknewn
Lake	Car All Tips		erk Hill soc	Endian selecti	(改 多共和) / 经基金			feet	
River						-	 		
Stream		 			-				
Dry Wash		1	 		·	 	 	 	
Mudflat		 						-	
Sandflat				 					
Wetlands		Y		·	 	· · · · · · · · · · · · · · · · · · ·			
Slough	7								
Prairie pothole								1	
Wet meadow			1						
Playa lake			1			1	1		T

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If K	iown	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by						
Migratory Bird Treaties?				×		
Is or would be used as habitat by other migratory birds that						
cross state lines?					X	
Is or would be used as habitat for endangered species?				X		
Is used to irrigate crops sold in interstate commerce?		X				
¹ Check appropriate boxes that best describe potential for application non-navigable, intra-state aquatic resource area.	cability of th	e Migratory	Bird Rule to	apply to onsite, non-	jurisdictional, isolated	

TYPE OF DETERMINATION:

Vernal pool Natural pond

Other water (identify type)

Preliminary X Or Approved __.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Two wetlands were identified at the base of a pre-law coal mining high wall. Wetland acreage for both wetlands totals 1.27 acres. Both wetlands are located in mining pits with no outlet, no surface water connection and no adjacent waters of the United States.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

PITTSBURGH

FILE NUMBER:			· · · <u>-</u>		40050				
REGULATORY PROJECT M	IANAGER	: :		NANC	y Mu	1/en	Date: 2	8 Jun	04
PROJECT REVIEW/DETER	MINATIO	N COM	PLETE	In t	he office 1	(Y/N)	Date:/	MAY	04
PROJECT LOCATION INFO	RMATIO	N:		Att	ne project s	T (1/14)	1 1	TILLY TO	07
State:		•					H	V	
County:						A	LLCGHE	موزد	
Center coordinates of	site by lat	titude &	longitud	inal coordin	ates:				
Approximate size of s									
Name of waterway or							ICK B	UN	
SITE CONDITIONS:							•		
							,		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake					S. S	A control of the cont	A SUPERIOR OF PERSONS BUY	in page - Francisco Ages	NI DOUBLE SESSE STREET
River			700						
Stream								1.014	
Dry Wash									
Mudflat								,	
Sandflat									
Wetlands	X								
Slough									
Prairie pothole	 .	·							
Wet meadow									
Playa lake		·		ļ	·				
Vernal pool									
Natural pond	1		1	1					

Migratory Bird Rule Factors!	If Known		If Unknow Use Best Professiona	The first that the state of the
	Yes No	Predicted to Occur	Not Expected to Occur	Not Able To Make Defermination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X	
Is or would be used as habitat by other migratory birds that cross state lines?				×
Is or would be used as habitat for endangered species?			X	
Is used to irrigate crops sold in interstate commerce?	Y			

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE	OF	DET	ERN	MINA	TION:
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Other water (identify type)

jurisdictional aquatic resource area.

DISTRICT OFFICE:

Preliminary	Or	Approved 🔀
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ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Wetlands appear to be formed from the ponding of water against the railroad embankment. No discharge point could be located nor could waters of the US be found in the area.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

LRD 200400495

REGULATORY PROJECT M	IANAGE	R:		Allen	Edris		Date:	7 June	2004
PROJECT REVIEW/DETERM	MINATIO	ON COM	PLETED	: In t	ne office	(Y/N) ite (Y/N)	Date:	1 Way 2	2004
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s Name of waterway or SITE CONDITIONS:	f site by la site/prope	atitude & rty (inclu		nal coordin	ates:	West Ber	Virginio Keley t/-		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	Doc-to Shapping on Page	Blockett Warr as	NETSHILL MAKE PROPERTY.		MARKAGE ST. LONGER BOOK	EUROLANA ILANGA	AND ALL SALES AND ALL SALES AND A	Teces in the same	2004
River						<u> </u>			
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	PEM/SS								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool	-								
Natural pond						٠.			
Other water (identify type)									

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		`		
is or would be used as habitat by other migratory birds that cross state lines?			X				
Is or would be used as habitat for endangered species?				X			
Is used to irrigate crops sold in interstate commerce?		X			· · · · · · · · · · · · · · · · · · ·		
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of th	e Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated		

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

TYPE OF DETERMINATION:

jurisdictional aquatic resource area.

DISTRICT OFFICE: FILE NUMBER:

Preliminary __ Or Approved \(\sum_{\cdot} \).

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Existing wetland is 0.46 acre in size and is the result of an old manuade pand which is currently a PEM/SS water feature. No inter or outlet was observed during the site visit conducted on May 19, 2004.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Date: 24 Jun 04

DISTRICT OFFICE: FILE NUMBER:

REGULATORY PROJECT MANAGER:

PROJECT REVIEW/DETER PROJECT LOCATION INFO			PLETE	D: In At	the proje	e <u>I</u> (Y/N) ect site <u>Y</u> (Y	Date: 22 N) Date: 2	3 Jun 04	
State: County: Center coordinates of Approximate size of	site/prope	rty (inclu					PA Allegheny 12,5		
Name of waterway o SITE CONDITIONS:	or watershe	ed:					LICK Run		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 1	ac 25-50 ac	e > 50 ac	在10年代的张兴州中进程的结构 名汉	Unknown
Lake	SEC THE STATISTICS THE SAME		SECURIORISM AND	CHI IND RANGE OF THE REAL	· · · · · · · · · · · · · · · · · · ·	CETTAL DEL SERVICIONI COMPANSO	Discover Published State (ASSESSED)	The state of the s	
River									
Stream		h							
Dry Wash									
Mudflat									
Sandflat					,				
Wetlands	×								
Slough									
Prairie pothole									
Wet meadow			-						
Playa lake									
Vernal pool									
Natural pond									*****
Other water (identify type)									
Migratory Bird Rule Factors!:				If Kn	own No	Predicted to Occur	If Unkt Use Best Professi Not Expected Occur	onal Judgment to Not Abl	e To Mak nination
		Argenia Million Committee	是是是为17年的最高	PERSONAL SERVICE SERVE		CERTAIN TO THE STREET STREET STREET	Mark of the second	CHINES IN DRICK THOMAS A SERVER	******
Migratory Bird Treaties?	,				em in su sui in		X		
Is or would be used as habitat for Migratory Bird Treaties? Is or would be used as habitat by cross state lines?	other migra	atory birds	s that			×			
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for	other migra	atory birds	s that			×	X		
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in	other migra	atory birds d species?		J.III. 8 2	×		×		
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be	other migra endangered terstate con est describe	atory birds d species? nmerce? potential f		ability of the	X Migratory		×	on-jurisdiction	al, isolated
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquation	endangered aterstate con est describe c resource a	atory birds d species? nmerce? potential f		ability of the	Migratory		apply to onsite, n	on-jurisdiction	al, isolated
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquatic TYPE OF DETERMINATIONAL INFORMATIONAL TO determine NJD, included	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquatic TYPE OF DETERMINATIONAL INFORMATIONAL TO to determine NJD, included	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquatic TYPE OF DETERMINATIONAL INFORMATIONAL TO to determine NJD, included	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquatic TYPE OF DETERMINATIONAL INFORMATIONAL TO determine NJD, included	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for Is used to irrigate crops sold in in Check appropriate boxes that be non-navigable, intra-state aquatic TYPE OF DETERMINATIONAL INFORMATIONAL INFORMATIUSED to determine NJD, include	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	
Migratory Bird Treaties? Is or would be used as habitat by cross state lines? Is or would be used as habitat for	other migra endangered terstate con est describe c resource a N: (ON SUPP ding inforr	d species? merce? potential f rea. ORTING	or application of NJD (e. viewed t	.g., paragra o assess po	Migratory Pr aph 1 – sit	Bird Rule to	apply to onsite, n Or A s paragraphs 2- nterstate comm	pproved X. 3 – rationale erce	

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Pittsburgh

TAME COMPANYONG	watersh	rty (inclu		inal coordin ands & in ac				45	(501 8 5. Ru	n	
SITE CONDITIONS: Type of aquatic resource	0-1 ac	1-3 ac	3-5/ac	5-10 ac	10-25	ac	25-50 ac		50 ac	Linear	Unkno
		FF (35)		1.00	fat 1840e in					feet	G486504
ake											
liver											
tream					ļ						<u> `</u>
Ory Wash									3		
Iudflat											
andflat				 				_			
Vetlands				 	ļ					 	
lough					<u> </u>						
rairie pothole				<u> </u>							
Vet meadow									· · · · · · · · · · · · · · · · · · ·	-	
laya lake				-						 	
ernal pool	ļ	· · · · · · ·								1	+
Vatural pond											
Other water (identify type)	a									:	
Check appropriate boxes that bes urisdictional aquatic resource are Alignatory Bird Rule Factors!		type of iso	ateu, non	If Know		wate	rpresent	and b	est estima		non-
			100 100 A 1							sional Judgn	
				Yes	No .	27. 19.10 . 10. 1	edicted Occur	Not		l to Not De	
s or would be used as habitat for Migratory Bird Treaties?						2	×				
s or would be used as habitat by o	ther migr	atory birds	s that			2	X				
ross state lines?		d on a stand				1		ļ			· ·
was ald be seed as babitat for		a species:				3					
s or would be used as habitat for			1				~			1	
s or would be used as habitat for s used to irrigate crops sold in int Check appropriate boxes that bes	erstate co	nmerce?	or applies	hility of the N	ligrator	y Bird	Rule to	annly	to opeite	non-jurisdia	tional to

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: FILE NUMBER:			1 1 1 1 1 <u>-</u>	Pittsl	outgh	8			
REGULATORY PROJECT M	IANAGE	R:	augus	Nang	cy Mi	ullen	Date: 10	Apr 04	
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETEI): Ir A	the office t the proje	$\frac{\checkmark}{\cot \operatorname{site}} (Y/N)$	Date: 10 Date: 10 N) Date: 10	1 Apr 04 1 Apr 04	/
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s Name of waterway or	f site by la site/prope	atitude & rty (inclu		inal coord	linates:		PA llegheny 32,1 ampbells	Run	
SITE CONDITIONS:						*. * 6			
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 8	ic 25-50 ac	>-50 ac	Linear *	Unknown
Lake	SALES CHARLES SEE	- X - X - X - X - X - X - X - X - X - X	L aremnastant.	AL SER MARKET SALES CHO	S SAN SAN STATE ST	urapiroati postojene na vest		TO THE TOTAL PROPERTY.	There the tree the tree to the tree to the tree of
River						(
Stream									(
Dry Wash									
Mudflat							1		
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of isol	ated, non	-navigable,	intra-state	water present	and best estima	te for size of	non-
Migratory Bird Rule Factors :				If Kn Yes	own No	Predicted	If Unl Use Best Profess Not Expected		
						to Occur	Occur		ermination
Is or would be used as habitat for Migratory Bird Treaties?						X			```
Is or would be used as habitat by cross state lines?	other migr	atory birds	that	-		X			

TYPE OF DETERMINATION:

Is or would be used as habitat for endangered species? Is used to irrigate crops sold in interstate commerce?

non-navigable, intra-state aquatic resource area.

Preliminary ___ Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

There appears to be no surface connection between the Wetland and an unnamed tributary to Campbell's Run.

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: FILE NUMBER:		*		2004 00	494	Rolling h.W	.		
REGULATORY PROJECT M	IANAGE	R:		Edris	-		Date:6	124/04	•
PROJECT REVIEW/DETERS PROJECT LOCATION INFO			PLETED	: In the	ne office 💃 ne project si	(Y/N) te 거 (Y/N)	Date:	L Jun 04 Way 04	
State:	MINITIC	,,,,				hres	T Virgin	ta.	
County:						Ber	Keley		
Center coordinates o	f site by la	atitude &	longitud	inal coordin	ates:		. /		
Approximate size of						36	Acres		
Name of waterway or	r watersh	ed:		,					
SITE CONDITIONS:							. •		
			_			er incentalise in the	Y-17/10-1		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	-10-25 ac	25-50 ac	> 50 ac	Linear	Unknown
於 5.組織、法有權 "雙 a.表"。[11] 為 2.其論關條網				ANTERIOR	3.9.据品价整			feet	
Lake River					·				
Stream				-					
Dry Wash			 						
Mudflat					<u> </u>				
Sandflat	<u> </u>	İ		 				-	
Wetlands	 		<u> </u>	1					
Slough			1						
Prairie pothole	-								
Wet meadow									
Playa lake									
Vernal pool				,					
Natural pond									
Other water (identify type) Wan - Wand Panel	X								
¹ Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, non	-navigable, in	tra-state wate	er present an	d best estima	te for size of	non-
	Ca Statut unio bar s	•							

Migratory Bird Rule Factors:	If Kı	nown	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by				.,			
Migratory Bird Treaties?				X			
Is or would be used as habitat by other migratory birds that					\		
cross state lines?					~		
Is or would be used as habitat for endangered species?				X			
Is used to irrigate crops sold in interstate commerce?		X		XAME			
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of th	e Migratory	Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

TYPE OF DETERMINATION:

Preliminary __ Or Approved \(\sum_{\cdot} \).

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Isolated area created by man to supply carrie with a drawing Source. No connections to other waters identified. Area is apprec, 0.20 acres in size.

DIVISION SUMMARY INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: DIVISION OFFICE: REPORTING PERIOD:	Pittsburgh LRO 01 Jan 04 - 31 Mar 04					
REI OKIING I ERGOD.						
TOTAL ACTIONS:						
PROJECT REVIEW/DETERMINATION COMP	PLETED:	In the office (total no.) At the project site (total no.)				
SITE CONDITIONS (TOTAL NOS.):						

SILE	COM	TITOMS	(10	IAL	1100.

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream								600'	
Dry Wash									
Mudflat									
Sandflat									
Wetlands		I							
Slough							,		
Prairie pothole	1,								
Wet meadow								, , , , , , , , , , , , , , , , , , , ,	
Playa lake									
Vernal pool									
Natural pond		,							
Other water (identify type)	-					1/2			

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If k	Snown	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	-		١		1		
Is or would be used as habitat by other migratory birds that cross state lines?			2				
Is or would be used as habitat for endangered species?				2			
Is used to irrigate crops sold in interstate commerce?			,				
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of t	the Migrator	y Bird Rule to	apply to onsite, non-j	urisdictional, isolated,		

TYPE OF DETERMINATION:

D., . 12 2	Δ
Preliminary	Or
	. ••

Approved 2.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: FILE NUMBER:				20030	1665				
REGULATORY PROJECT N	1ANAGE	R:		Brkon	ich		Date: _/-	1	
PROJECT REVIEW/DETER PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway o SITE CONDITIONS:	ORMATIO	ON: atitude & arty (inclu	longitudi	At t		teX (Y/N)	Date:	•	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake	x 33 117 1869 17 16, 2-21, 30	SUCHEA DE SERVIÇÃO	1777, 1774, UUDAR-41, 365, 365	COSTRICTOR STATE TO SHARE	AVAIATSC LORUUU ISIDMUSSE	STORES IN STREET	, , , , , , , , , , , , , , , , , , , ,	THE RESIDENCE AS A SHOP	H SECTOR DESIGNATION OF
River						-			
Stream						•		660	
Dry Wash								1,7	
Mudflat					<u> </u>				
Sandflat	ļ								
Wetlands								1, ,	1
Slough	ļ		<u> </u>						ļ
Prairie pothole	ļ								
Wet meadow	-		ļ						
Playa lake		·	ļ.,	l.					
Vernal pool	-		<u> </u>					ļ	
Natural pond Other water (identify type)	-		<u> </u>	ļ					
¹ Check appropriate boxes that be jurisdictional aquatic resource are Migratory Bird Rule Factors!		type of iso	lated, non-	Inavigable, in				nown	

Control of the Contro			to Occur	Occur -	Determination
Is or would be used as habitat for birds protected by					-1
Migratory Bird Treaties?			* .		· · · >
Is or would be used as habitat by other migratory birds that			4		
cross state lines?			^		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		×			
¹ Check appropriate boxes that best describe potential for appl	icability of th	he Migratory	Bird Rule to	apply to onsite, non-	jurisdictional, isolated.
non-navigable, intra-state aquatic resource area.					

TVPF	OFT	ETER	MINA'	TION.

Approved X. Preliminary ___ \mathbf{Or}

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

Channel did not connect to other water because of geological conditions.

DEPARTMENT OF THE ARMY



PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

REPLY TO ATTENTION OF: January 23, 2004

Operations and Readiness Division Regulatory Branch 200301665

Mr. Thaddeus J. Kraska Resource International, Ltd. 9560 Kings Charter Drive P. O. Box 6160 Ashland, Virginia 23005-6160

Dear Mr. Kraska:

I refer to your report, received in this office on October 14, 2003, regarding the Fries Property, near Hainesville, Berkeley County, West Virginia.

Upon visitation to the site, flows from the spring fed pond were observed from the old spillway area to travel approximately 600 feet to a point at the base of a hillside at the westerly portion of the property where it then disappeared and became subterranean. These waters are isolated, therefore this pond and stream are non-jurisdictional and are not to be considered Waters of the United States.

This office has no objection to the proposed project and a Department of the Army Permit is not required. However, it should be mentioned that certain engineering considerations be investigated prior to the development of this site to maintain drainage through any embankments or fills to address this artisan flow.

You may begin the work after you have received any required State and local permits.

If you have any questions, please contact George Brkovich, Waterways Inspector at (412) 395-7156 or Fred Pozzuto, Chief, Permit Enforcement and Surveillance Section at (412) 395-7275.

Sincerely,

Scott A. Hans Chief, Regulatory Branch

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT N	MANAGER:			Edn	<u> </u>		-	Date:		
PROJECT REVIEW/DETER	MINATION	COMP	LETED		the office	(Y	/N) (v/n)	Date:	27	(4)
PROJECT LOCATION INFO	DRMATION:	:		At	tne proje	ct site	+ (1/N) Date: 12-	25-	7
State:							14			
County:							<u> A/~</u>	5 lixy g		
Center coordinates of Approximate size of							76			
Name of waterway o		(IIICIUU	mg upi	ands & m	ici es).	•	Lin	estile.	P	
									PA	
SITE CONDITIONS:										
Type of aquatic resource	0-1 ac 1	-3 ac ⊕ .	3-5 ac	5-10 ac	10-25 8	c 25	-50 ac	> 50 ac	Linea	ır Unkno
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andflat Vetlands			V						 	
lough								 		
rairie pothole	 							+	 	
Vet meadow									 	
Playa lake									 	
ernal pool			~~~~							
Natural pond										
Other water (identify type)										
		1				.			1	
Check appropriate boxes that be		e of isola	ted, non-	navigable, i	ntra-state	water p	resent a	nd best estima	te for si	ize of non-
urisdictional aquatic resource ar	ен.						· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·
Migratory Bird Rule Factors ¹ :			500	If Kno	wn				nown	
				resida de California		Special		e Best Profes		
				Yes	No .	Predi	32% (815) 27:121-132	Not Expected	to 📗	Not Able To M
s or would be used as habitat for	hirds protecte	d by		Date of Contract		to Oc	cur	Occur		Determination
is or would be used as habitat for Migratory Bird Treaties?	Mi us protecte	a by				人				
s or would be used as habitat by	other migrator	y birds t	hat							
cross state lines?		•				×			1.	
s or would be used as habitat for	endangered sp	ecies?						ス		
s used to irrigate crops sold in in										
Check appropriate boxes that be non-navigable, intra-state aquation			applica	bility of the	Migratory	Bird R	ule to ap	ply to onsite,	non-jur	isdictional, isol
an inguity mile state aquate	10500100 0100	·	···		.,					
TYPE OF DETERMINATION	N:				Pr	elimina	ry	Or A	Approv	red
ADDITIONAL INFORMATI										tionale
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sed to determine NJD, include onnections; and paragraph 4								ci state com	ilei ce	

DEPARTMENT OF THE ARMY



PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

REPLY TO ATTENTION OF:

March 2, 2004

Operations and Readiness Division Regulatory Branch 200400109

David Moone Allegheny Energy Supply 4350 Northern Pike Pittsburgh, Pennsylvania 15146-2841

Dear Mr. Moone:

I refer to your Joint Permit Application, received in this office on January 23, 2004, requesting our comments on eligibility for Authorization under the Pennsylvania State Programmatic General Permit (PA SPGP-2).

The proposed Limestone Run disposal/reclamation project includes the construction of an access road, grading, and the backfilling of open pits and highwalls to eliminate hazards now present. Six palustrine emergent wetlands, totaling approximately 5.99 acres exist within the project limits. Five wetlands totaling approximately 3.05 acres will be impacted during project construction.

On February 23, 2004, Allen Edris of this office walked the site with Allegheny Energy Supply and GAI Consultants to determine the presence of "Waters of the United States". The five wetlands being impacted were found to be non-jurisdictional since there was no obvious surface water connection to jurisdictional Waters of the United States. Therefore further coordination with the Army Corps of Engineers is not required. The project is located in Washington Township, Armstrong County, Pennsylvania.

This office has no objection to the proposed project and a Department of the Army Permit is not required. However, an Encroachment Permit from the Pennsylvania Department of Environmental Protection may be additionally needed and the appropriate coordination with their office should be conducted.

If you have any questions, please contact Allen Edris at (412) 395-7158.

Sincerely,

Albert H. Rogalla Chief, Regulatory Branch

Enclosure

CF:

PADEP Southwest Region (Ramer Ziadeh) GAI Consultants, Inc. (Gary Brendel)

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

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DISTRICT OFFICE: FILE NUMBER:			_	1004004	ran Ma	· · · · · · · · · · · · · · · · · · ·			
REGULATORY PROJECT N	1ANAGE	R:	<u> </u>	Janey	Mulle	'n	Date: M	ay 17,2	004
PROJECT REVIEW/DETER PROJECT LOCATION INFO State: County:	RMATIC)N:					Date: And Date: Me WV Herson	0417,2 0412,20 0413,20	04
Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	site/prope r watershe	rty (inclu		inds & in ac	res):	Flou	77.61 Ulug S	pring	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear feet	Unknown
Lake	E PSACONOLAND - 2-3	15、47次が自治設規制	Procedure at the st	Name of the Party		Hallow State Co. S. 1915	Part of the second	TO A SECURITION OF THE REAL PROPERTY OF THE PERSON OF THE	San (250m) un se enscon est
River									
Stream								1.000	
Dry Wash								•	
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	X								
¹ Check appropriate boxes that be jurisdictional aquatic resource are		type of isol	ated, non-	navigable, in	tra-state wat	er present an	d best estima	te for size of 1	ion-

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	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by			*		
Migratory Bird Treaties?			^		•
Is or would be used as habitat by other migratory birds that			✓	.*	
cross state lines?	1		_ ^		·
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

TYPE	OF	DE	TERL	ITNA	TION:

		•
Preliminary	\mathbf{Or}	Approved A.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

The intermittent stream flows approximately 1,000 feet + then dissipates into the ground. The 0,25 Ac pond has an uncontrolled outtail that flows towards a swale. The swale flows into a culvert under Route 340/9 into an area that was previously determined to be non-jurisdictional.